

United States District Court
Western District of Texas
El Paso Division

FILED

Oct 7 2019

Clerk, U.S. District Court
 Western District of Texas

By: 

Deputy

USA

vs.

(1) FRANCISCO FERMIN LEIVA-GUILLEN


§
 § CRIMINAL COMPLAINT
 § CASE NUMBER: EP:19-M -08788(1) RFC
 §
 §

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 04, 2019 in El Paso county, in the WESTERN DISTRICT OF TEXAS defendant did, being an alien to the United States, enter, attempt to enter, or was found in the United States after having been previously excluded, deported, or removed from the United States without receiving permission to reapply for admission to the United States from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557

in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts: " ***The DEFENDANT, Francisco Fermin LEIVA-Guillen, an alien to the United States and a citizen of Nicaragua was found approximately 10 miles west of the Tornillo Port of Entry in San Elizario, Texas in the Western District of Texas. From "***
Continued on the attached sheet and made a part of hereof.


Sworn to before me and subscribed in my presence,


 Signature of Complainant
 GARCIA, Luis O.
 Border Patrol Agent

October 7, 2019
 File Date

at EL PASO, Texas
 City and State

ROBERT F. CASTANEDA
 UNITED STATES MAGISTRATE JUDGE


 Signature of Judicial Officer
 OATH TELEPHONICALLY SWORN
 AT 1:01 P.M.
 FED.R.CRIM.P.4.1(b)(2)(A)

CONTINUATION OF CRIMINAL COMPLAINT - EP:19-M -08788(1)

WESTERN DISTRICT OF TEXAS

(1) FRANCISCO FERMIN LEIVA-GUILLEN

FACTS (CONTINUED)

statements made by the DEFENDANT to the arresting agent, DEFENDANT was determined to be a native and citizen of Nicaragua, without immigration documents allowing him to be or remain in the United States legally. Defendant has been previously removed from the United States to Nicaragua on July 25, 2018 through Alexandria, La. Defendant has not previously received the expressed consent from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States.

Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

The DEFENDANT has been removed 3 times, the last one being to NICARAGUA on July 25, 2018, through ALEXANDRIA, LA

CRIMINAL HISTORY:

NONE